IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.3246 OF 2004

IN

CENTRAL EXCISE APPEAL (LOD) NO.109 OF 2004

Comissioner of Central Excise ..Applicant.

V/s.

M/s.Finolex Industries Ltd. ..Respondent.

Ms.Sonali Humani i/b. S.S. Pakale for applicant.

Mr.J.H. Motwani i/b. D.S.K. Legal for respondent.

CORAM : S.RADHAKRISHNAN AND J.P.DEVADHAR, JJ.

DATED : 24TH JANUARY, 2005.

P.C. :-

1. Heard learned counsel for the applicant and the respondent. By this notice of motion the applicant is seeking condonation of 30 days delay in filing the above appeal. Perused the affidavit filed in support of the notice of motion. There is no case of any inaction and want of bonafide on part of the applicant. Notice of Motion is made absolute in terms of prayer clause (a).

(S.RADHAKRISHNAN, J.)

(J.P. DEVADHAR, J.)